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Security Council

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Letter dated 24 October 2002 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 24 October 2002 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq (see annex). It states that Iraq is committed to its undertakings and obligations relating to the resumption by the inspection teams of the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency of their work in Iraq. It further calls attention to the position adopted by the United States in the Security Council of preventing this from happening, an attitude that is incompatible with that of the majority of Member States of the United Nations as expressed in the open meeting on Iraq held by the Security Council on 16 and 17 October 2002.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Permanent Representative

02-66035 (E) 241002 241002

Annex to the letter dated 24 October 2002 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

During the summit conference of the Organization of the Islamic Conference held in Doha in 2000 our joint initiative was formed to reactivate the dialogue between Iraq and the United Nations in order to break the deadlock in the relationship between Iraq and the Security Council and achieve a comprehensive solution that, once implemented, would ensure that all the obligations set forth in the relevant Security Council resolutions could be met. The four rounds of dialogue held with you made progress towards laying a suitable foundation for a comprehensive solution that was fair to Iraq and met the requirements of the Security Council's resolutions.

In your opening statement to the fifty-seventh session of the General Assembly on 12 September 2002, you appealed to the Government of Iraq to agree to the return of the inspectors as a first step towards an assurance that Iraq no longer possesses weapons of mass destruction and towards a comprehensive solution that includes the suspension and eventual ending of the sanctions and the timely implementation of other provisions of the relevant Security Council resolutions.

In response to your appeal and to similar appeals from the Secretary-General of the League of Arab States, the Arab countries and many friendly countries, the Government of Iraq agreed to allow the unconditional return of the United Nations arms inspectors to Iraq. The Government of Iraq also expressed its readiness to discuss the practical arrangements necessary for the immediate resumption of inspection activities. I addressed to you a letter dated 16 September 2002 stating this position, and you in turn addressed to the President of the Security Council a letter dated 16 September 2002 transmitting my letter to him (S/2002/1034). In that letter, you reaffirm the concept you had mentioned in your statement to the General Assembly on 12 September 2002 that the return of the inspectors was a first step towards a comprehensive solution that includes the suspension and eventual ending of the sanctions and the timely implementation of other provisions of the relevant Security Council resolutions.

In implementation of that commitment, the Government of Iraq held technical talks with a delegation from the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Vienna on 30 September and 1 October 2002, and the two sides agreed on the practical arrangements necessary for the return of the inspectors. The two sides also agreed that the inspectors should arrive in Iraq on 19 October 2002.

In their briefing to the Security Council on 3 October 2002, Mr. Hans Blix and Mr. Mohamed ElBaradei stated that there were no legal obstacles to the speedy return of the inspectors to Iraq. Mr. Blix repeated this in his written statement to the Security Council on 15 October 2002, and Mr. ElBaradei did so in the position paper that was circulated to the members of the Council at these same consultations.

The Iraqi side having completed its preparations to receive the inspectors on 19 October 2002 as agreed, the day came and the inspectors did not arrive. The Iraqi side was not notified that their arrival would be postponed or of the reasons for its postponement or the proposed new date for their arrival.

It seemed evident that the United States had prevented the UNMOVIC and IAEA inspectors from proceeding to Iraq when the majority of the States members of the Security Council and the majority of the States Members of the United Nations whose representatives had spoken at the open meeting of the Security Council on Iraq held on 16 and 17 October 2002 had endorsed the need for the expeditious return of the inspectors to Iraq to complete their tasks.

That the United States has prevented the inspection team from arriving in Iraq as scheduled on 19 October 2002 is a violation of the understanding reached between Iraq and the Secretary-General of the United Nations as set forth in the letter dated 16 September 2002 from the Secretary-General addressed to the President of the Security Council and is also a violation of the practical arrangements agreed by Iraq and UNMOVIC/IAEA in Vienna on 1 October 2002, including the date established for the return of the inspectors.

The Government of the United States does not want the inspectors to return, because they would reveal the falsity of its allegations and because that would mean requiring the Security Council to lift the unjust embargo imposed on Iraq and to implement paragraph 14 of Security Council resolution 687 (1991), which calls for the elimination of the nuclear, chemical and biological weapons of mass destruction that Israel possesses.

The entire international community looks to the United Nations to enhance the authority of international law and of the principles of the Charter of the United Nations in relations between States. When Iraq agrees to the return of the inspectors as a first step towards the lifting of the unjust embargo and the other restrictions imposed on it and when a single State prevents the return of the inspectors, this means that Iraq has discharged its obligations in full, that it is for the Security Council to meet its corresponding commitments to lift the unjust embargo and implement paragraph 14 of resolution 687 (1991) and that all the other restrictions imposed on Iraq under the Security Council resolutions become void.

There are ongoing consultations in the Security Council and elsewhere on the adoption of a new resolution by the Council concerning the inspection mechanism. We see no need for the adoption of such a new resolution, because the resolutions and mechanisms in place are more than sufficient to ensure that the inspection process can begin and that it can proceed in the direction desired by the international community, namely towards ascertaining that Iraq is free of weapons of mass destruction. Mr. Blix and Mr. ElBaradei have affirmed in their written statements to the Security Council that there are no legal or practical obstacles that would prevent inspection activities from beginning.

The adoption of any resolution that is incompatible with the understandings and agreements reached between Iraq and the Secretary-General and between Iraq and UNMOVIC/IAEA would mean that the Security Council does not honour its undertakings and that it rewrites them in response to pressures from a single party that wants the Security Council to be an instrument of its bellicose foreign policy. At the same time, the Council does require others to honour the undertakings that they have given.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

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Letter dated 21 October 2002 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the pleasure to present to you herewith the third report on the work of the International Security Assistance Force in Afghanistan, covering the period from 1 to 30 September 2002 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Ümit **Pamir**
Ambassador
Permanent Representative

02-66098 (E) 281002

Annex to the letter dated 21 October 2002 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Monthly report on the operations of the International Security Assistance Force for the period from 1 to 30 September 2002

EXECUTIVE SUMMARY

Within the framework of its mandate designated by resolution 1413 (2002), ISAF continued to conduct its activities as planned in September. The overall security circumstances in Kabul and its surrounding areas stabilized further, despite a major explosion which claimed many lives in the city on 5 September, and an attempt on the life of President Karzai in Kandahar on the same day. Consequently, ISAF has stepped up both its visibility in the city and its security precautions. However, these acts of terror did not have much impact on daily life or upset the sense of normality and calm. The local community continues to extend a warm welcome to ISAF and to support its core mission. Nevertheless, a growing number of problems persist, including the return of a huge number of refugees to Kabul, the inability of the Afghan authorities to pay its police and army personnel and the slow progress on the establishment of a national army. It is evident that a substantial flow of international aid is required to address the fundamental problems facing the country, to reject extremist ideologies and to stamp out the residual threat of terrorism.

1. INTRODUCTION

In the reporting period, the International Security Assistance Force (ISAF) increased its security measures, in response to a major car-bomb explosion in Kabul which claimed thirty lives on 5 September, as well as an assassination attempt on President Karzai in Kandahar on the same day. ISAF also sought to enhance the security coordination and intelligence-sharing among the relevant Afghan authorities and to address the equipment requirements of the Kabul police. Despite the many challenges and potential sources of social discontent, the situation in Kabul is relatively calm and crime rates remain low. Afghanistan might again succumb to extremist ideologies and turmoil, if the international community fails to provide the Transitional Administration of Afghanistan with substantial political and economic support, through the central government.

2. ISAF ACTIVITIES

a. General

(1) As of 30 September 2002, ISAF is composed of 4787 personnel from 20 nations.

(2) ISAF operations continued as planned in September, albeit with greater visibility and presence in the city due to a series of explosions. An average of 40 security patrols a day was conducted on a 24-hour basis and approximately two-thirds of these patrols were conducted jointly with the Afghan police. Many of these were patrols on foot. Many random check-points were established in the city to enhance the security of the public. ISAF also provided additional security during visits of foreign dignitaries to Kabul and international conferences and fairs.

(3) The ISAF commanders work closely with the senior Afghan leaders, on the basis of the full congruity between the objectives of ISAF and of the Afghan authorities. The ISAF leadership also maintains close contact with the Special Representative of the UN Secretary-General.

(4) The Joint Coordinating Body (JCB), set up in accordance with the Military Technical Agreement, met once during the reporting period. The meeting took place on 14 September 2002 at the offices of the National Directorate for Security and was conducted in a cooperative atmosphere, on the basis of an agenda prepared by ISAF. Minister of the Interior Mr. Taj Muhammed Wardak, COMISAF Major-General Hilmi Akın Zorlu, Deputy Special Representative of the Secretary-General Mr. Jean Arnault, Head of the National Directorate for Security Engineer Arif Sarvari, and Commander of the Kabul Garrison Lieutenant-General Bismillah Khan attended the meeting which reviewed the general security situation in Kabul, implementation of specific proposals for enhanced security measures, including greater coordination and intelligence-sharing, and the equipment requirements of the Kabul police and the security personnel serving at the entry-exit points in the city. The next meeting of the JCB will be held on 10 October 2002, at the Ministry of the Interior.

(5) In an effort to ensure adequate Ministerial protection, ISAF has so far provided Close Protection Training for a total of 610 Afghan bodyguards. The training of an additional group of 40 Afghan bodyguards will begin soon. Furthermore, ISAF is reviewing the security arrangements of individual Ministries and preparing a report on its recommendations for enhancing them.

(6) ISAF is also endeavouring to address the equipment requirements of the Ministry of the Interior, the Kabul police and the security personnel serving at the entry-exit points in the city. Most local police stations visited by ISAF personnel have been found to be critically under-equipped. The ISAF leadership has brought the matter to the attention of the Afghan authorities and called for the acquisition of weapons, wireless sets and cars for the police force, as well as detectors to help with the search for explosives. Turkey is seeking to provide the Ministry of the Interior with weapons and ammunition, while the United Kingdom is planning to donate 100,000 US Dollars to provide special equipment for use at the entry-exit points.

(7) Turkey is providing the 1st Battalion Afghan National Guard with the follow-on training, with a view of contributing to the establishment and training of the Afghan National Army and increasing the security of the Presidential Palace. Training of the Battalion began on 21 September under Turkish instructors and will be concluded at the end of November. A team consisting of 40 members of the Battalion has been selected and given specialized protection training. This team will shortly be employed in the protection of the Presidential Palace alongside the U.S. bodyguards.

(8) ISAF has been seeking to enhance security coordination and intelligence-sharing among the relevant Afghan security entities, especially the Ministry of Defence, the Ministry of the Interior, the National Directorate for Security, the local police and the Kabul garrison. A Committee for Intelligence Coordination has been established with this aim in mind. The Committee has been holding weekly meetings to ensure effective and timely exchange of intelligence.

(9) ISAF continues to enjoy the full trust and respect of the people of Kabul, who are aware of the nature of ISAF's responsibilities and appreciate its contribution to security and stability. COMISAF has issued strict orders to all ISAF personnel to treat the local citizens with courtesy at all times and to respect local customs and values. The ISAF leadership remains equidistant to all the ethnic groups which make up the people of Afghanistan.

(10) ISAF sustains a broad information campaign relating to ISAF activities, government work and the presence of the international community in Kabul, by making use of public announcements, radio and television advertisements, posters and the ISAF newspaper.

b. Security in Kabul and its surrounding areas

(1) While Kabul was relatively calm and peaceful in September, a series of explosions took place in the city. No organization claimed responsibility for the explosions. An unexploded ordnance which was apparently being transported in wheelbarrow by a Kabul citizen exploded on 1 September, killing the citizen in question.

(2) The second and major explosion occurred in the city in a busy marketplace on 5 September, killing 30 people and wounding nearly 150. Before the main explosion a small explosive device, placed on a bicycle, was set off, causing a crowd to gather. Shortly thereafter, a second and much larger car-bomb was exploded, maximizing the casualties. ISAF is organizing an appeal fund to help the families of the victims. Afghan security and intelligence chiefs blamed the Hizb-i Islami Group for the explosion.

(3) An attempt was made on the life of President Karzai in Kandahar on the same day, when a gunman fired several shots, wounding Mr. Gul Aga Shirzai, the Governor of Kandahar. The gunman and two other persons were shot dead by bodyguards.

(4) Consequently, ISAF introduced tougher security measures, in close coordination with the Afghan security authorities. Patrolling and joint check-point activities with local forces were visibly increased. Greater use was made of armoured vehicles. A quick reaction force kept at a high state of alert. Force protection measures were heightened. However, ISAF was careful not to inflict wartime conditions on Kabul. Tensions were eased shortly afterwards as a sense of normality returned to the city. ISAF has since maintained a discreet presence.

(5) The anniversaries of the death of Ahmed Shah Masood, the Northern Alliance leader, on 9 September, and of the terrorist attacks of 11 September passed without any incident.

(6) A further explosion, caused by explosive materials, took place on 28 September near the offices of the Afghan Military Intelligence Agency, slightly wounding four people.

(7) The explosions in the city, while serving as a reminder of the residual terrorist threat, have had little impact on the flourishing commercial and social life in the city. Ordinary citizens, tired of violence and factional politics are endeavouring instead to normalize their lives and to improve their standards of living.

(8) ISAF will maintain a vigilant stance in the period leading up to 7 October, which will see the introduction of a new national currency and coincide with the first anniversary of the start of the bombing campaign in Afghanistan.

c. Assistance projects towards the local community

ISAF continued to run an extensive CIMIC (Civil-Military Cooperation) program in the reporting period in order to provide assistance to the local community. This assistance is channeled through carefully selected quick-impact projects on the basis of local requirements and humanitarian considerations, respect for cultural and religious values and the principle of equi-distance to all the ethnic groups making up the people of Afghanistan. Assistance efforts focus on the field of education and public health and include the renovation of educational and health establishments (schools, kindergartens, orphanages and clinics), supply of teaching materials, provision of equipment and engineering expertise to help with the water supply and sanitation, provision of fire-fighting training and equipment, air traffic control and meteorological training, assistance with the water, electricity, library and reproduction facilities of the two universities in Kabul and supply of medical aid and distribution of baby food. The renovation and refurbishment of the Yakatoot High School and the restoration of the historical "Shahe Du Shamshera" mosque are particular examples of ISAF's CIMIC work.

As the local community continues to convey numerous requests for assistance, ISAF endeavours to utilize its own limited resources to the full and seeks financial support from other sources. To date, 130 projects have been completed by ISAF, 55 current projects are underway and a further another 70 projects are being staffed and planned. Most of these projects are funded from the national sources of the ISAF Contributing Countries, while the EU provides some funds for the efforts to improve the water supply in Kabul. Contributions by Member States to the trust fund established pursuant to Security Council resolution 1386 (2001) would help finance ISAF's joint expenses including assistance projects.

3. SPECIFIC CHALLENGES

The following specific issues, falling outside of ISAF's core mission, continue to have implications for security and stability in Kabul.

a. Progress on the establishment and training of an Afghan national army has been slow. The Afghan authorities have prepared a detailed conceptual document setting out certain parameters for defence reform. However, the overall institutional structure and command and control arrangements of the new national army should be determined as a matter of priority. Otherwise, it may not be possible to assign meaningful tasks to the individual battalions trained. The U.S. has recently completed the training of the 3rd Battalion of the Afghan National Army and Turkey is providing advanced training to the 1st Battalion of the Afghan National Guard.

b. The flow of actual international aid is still limited, in contrast to repeated appeals by the Afghan authorities and the pledges made at the Tokyo Conference. The lack of adequate financial assistance continues to hamper the efforts of the Afghan government to form effective central governmental institutions and to extend them to the entire country. Most police and army personnel and public employees have not been paid for many months and there is considerable concern that this might strengthen criminal tendencies. The lack of resources continues to hamper efforts to restrict the poppy cultivation and the narcotics trade.

c. According to the UN High Commissioner for Refugees, more than 1.7 million people are estimated to have returned to the country since March, mostly from Pakistan. Approximately, 600,000 returnees have settled in Kabul so far, taking advantage of the relative stability of the city. However, the presence of such a large number of refugees continues to have a negative impact upon the security circumstances in Kabul. ISAF is consulting the UNHCR officials for the provision of security for the winterization programme designed to assist the returnees to cope with the approaching winter conditions.

4. CONCLUSION

During the report period, ISAF continued to provide substantial assistance to the Afghan authorities in maintaining security and stability in Kabul and its surrounding areas. Despite the deplorable acts of terrorism witnessed in Kabul and the potential vulnerability of the security circumstances, the situation in the city is calm and stable. ISAF has stepped its presence through additional patrolling and check-points activities. ISAF has also endeavoured to remedy certain shortfalls in the security system, in cooperation with the Afghan authorities. However, substantial international assistance should be mobilized without further delay in order to tackle effectively the residual terrorist threat, the extremist ideologies and the underlying causes of conflict.

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Letter dated 23 October 2002 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council

Please find attached the statement made by Bosnia and Herzegovina on the occasion of the agenda item entitled "The situation in Bosnia and Herzegovina" (see annex). Since my delegation was allowed to participate in the meeting but, unfortunately, was not given the floor, you are kindly asked to incorporate the attached statement made by the delegation of Bosnia and Herzegovina.

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Mirza **Kusljugić**
Ambassador
Permanent Representative

02-66140 (E) 301002

Annex to the letter dated 23 October 2002 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council

Mr. President,
Excellencies, Permanent Representatives to the United Nations,
Members of the Security Council

Thank you for the opportunity to participate in today's discussion on the occasion of the 23rd Report by the High Representative for Implementation of the Peace Agreement to the Secretary-General of the United Nations. The Government of Bosnia and Herzegovina welcomes the Report. I personally would like to welcome HR Lord Paddy Ashdown who has presented his report to the Security Council for the first time and I wish him all success in his future activities. At the same time, I am using this opportunity to thank Special Representative Mr. Jacques Paul Klein for his briefing and for completing successfully his tasks in Bosnia and Herzegovina.

By the end of this year, the UNMIBH will complete its mandate, in our opinion with successful results. We have built State Border Service, together with the international community, which already resumed 100% control of the border of Bosnia and Herzegovina. It is of utmost importance for decreasing and preventing of all sorts of illicit trafficking. UNMIBH has also significantly contributed in police restructuring as well as in establishing mechanisms for inter-entity and interregional police cooperation. It also made a significant contribution in initiating the professional cooperation between the police and the criminal justice system, which has filled an important gap in the rule of law.

The Government of Bosnia and Herzegovina also welcomes smooth and efficient transition from the UNMIBH to the EU Police Mission. We are confident that the experience of the UNMBIH would facilitate to a great extent the mandate of the EUPM focused on further education of police and judiciary officials, as well as on monitoring of the process of institutions restructuring and reforms in the Rule of law sector. It is important for the EUPM to streamline its activities with the BH authorities in this important sector of the peace process implementation.

Mr President,

Bosnia and Herzegovina currently has a judicial system, with a number of judges and prosecutors *per capita* that is above the average, even for the well-developed European countries. However, it failed to produce the results that would match the European standards. The IC, through its specialized programs such as JSAP (Judicial System Assessment Program) and CJAU (Criminal Justice Advisory Unit) that existed within UNMIBH, as well as IJC (Independent Judicial Commission) established by the OHR, has identified the areas of the system where the immediate improvements are required, and the HR has incorporated them in his Program named "Jobs & Justice". Those measures are directed towards, on one side, the reform of the existing institutions and establishment of the new ones (i.e. State Court, High Judicial Council, State Prosecutors office), as well as the accompanying legislative reforms, on the other.

The delegation of BiH would like to extend its firm support to the program of the judicial reforms as conceived by the HR, an at the same time to offer its assurances that the Parliamentary Assembly of BiH, as well as the Entity parliaments, will do their utmost to pass the required legislation that regulates this matter.

The State Criminal Code will, undoubtedly, give the required legal framework to enable the state border service, the Customs, the Anti-terrorist team and the State Prosecutors Office to investigate and prosecute such crimes as trafficking, organized crime, international terrorism and the likes, that epitomize the concern of the entire Earths population. At the same time, the Entity Criminal Codes that are undergoing the reform will enable the cooperation of the police, SBS and prosecutors on all levels, thus connecting the law enforcement agencies to the well-established European system.

Mr. President,

European integrations and regional cooperation are visions and priorities of BH Government. Since the last report of the HR to the Security Council, Bosnia and Herzegovina became a member of the Council of Europe; the conditions from the Road Map by EU are completely fulfilled. The feasibility study and negotiations regarding the Stabilization and Association Agreement have already started, which will facilitate and accelerate the necessary reforms in legislature, virtually in all aspects of life.

Relations with the neighboring countries, the Republic of Croatia and the Federal Republic of Yugoslavia are of extreme importance, because there are many issues that should be resolved on the regional level. We are satisfied with the series of high-level meetings that took place recently. We welcome the first Summit of the Heads of State of Bosnia and Herzegovina, the Federal Republic of Yugoslavia and the Republic of Croatia organized in Sarajevo on July 15, 2002.

We are confident that the problem of return of refugees could be finally solved only through appropriate cooperation and coordination among our three states. We expect that the Annex VII of the Dayton/Paris Peace Agreement will be completely implemented in the near future. So far, the owners repossess almost 70% of properties, abandoned during the war, and the fact that this process has been accelerated in recent months is encouraging.

The issue of criminal activities, illicit trafficking, smuggling and apprehension of indicted war criminals to the ICTY court could be effectively resolved only by full cooperation by the relevant institutions of the all states in the region. The goal of the establishment of the State Border Service is to fight these kinds of organized crime, and at the same time not to obstruct legal exchange of merchandise and travelers.

Mr President,

Main goal in our economic program is to improve the business environment and to establish a single economic space. Besides that, expansion of regional economic cooperation is very important. Diminishing trade barriers between states, boosting exchange of goods and capital, promoting joint projects of benefit for all will provide the environment for more successful performance on the global market. Therefore, we welcome the free trade agreements among states in South-Eastern Europe that have been already signed to promote economic cooperation and to boost growth in the region.

Mr President,

Regarding the recent elections, it should be emphasized that forthcoming implementation of the election results will be based on Constitutional Court decision regarding equal rights of all ethnic groups on the whole territory of Bosnia and Herzegovina. Hence, for the first time in the post-war history on all government levels in the country multiethnic government structures will

be formed. The process itself presents a challenge and if needed an assistance of the IC will be welcomed.

Mr President,

Let me repeat once again priorities of Bosnia and Herzegovina government are same as those elaborated in the report and briefing of High Representative. Therefore we are committed to work in partnership with the IC to achieve set goals.

Mr President

Thank you very much